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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Kini M. Seawright,)	Case # CV 11-01304-PHX-JAT
)	
Plaintiff,)	STIPULATED MOTION FOR
vs.)	EXTENSION OF TIME FOR
)	PLAINTIFF'S RESPONSE TO
State of Arizona, <i>et al.</i> ,)	DEFENDANTS' MOTION FOR
)	SUMMARY JUDGMENT
Defendants.)	
)	
)	
)	
)	

Plaintiff Kini Seawright (hereinafter referred to as "Plaintiff"), by and through her undersigned attorney of record, moves for an order for an extension of time from April 2, 2013 until April 16, 2013, for the filing and service of the Plaintiff's Response to the Defendants' Motion for Summary Judgment (dkt. #75).

1. Authority For This Motion

This Motion is filed pursuant to Federal Rules of Civil Procedure, Rule 6(b)1(A), and U.S. District Court for Arizona LRCiv. 7.3. See *Ahanchian v. Xenon Pictures, Inc.*, 624 F. 3d 1253 (9th Cir. 2010), and *Briones v. Pioneer Hotel & Casino*, 116 F. 3d 379 (9th Cir. 1997).

1 **2. Pertinent Facts**

2 A. On February 13, 2013, the Defendants filed their Motion for Summary
3 Judgment and Statement of Facts, dkt. #83.

4 B. Prior to their filing, Defendants moved for and received two extensions of
5 time (dkt # 71, 75) (agreed to by Plaintiff), as well as a motion to exceed the page length
6 limitation (#77).

7 C. The undersigned attorney for the Plaintiff has recently received five
8 motions for summary judgment that he has had to or will have to file responses to in the
9 upcoming month.

10 D. To further delay his ability to file Plaintiff's response by the due date, the
11 law firm of Gillespie, Shields & Durrant has lost two of its attorneys in the past few
12 months, one of which had previously been the primary attorney and counsel of record on
13 this case.

14 E. Plaintiff's attorney will, therefore, require additional time to review the
15 documents, pleadings, depositions, etc. in order to provide a meaningful response to the
16 Defendant's motion for summary judgment.

17 D. This is the first request for an extension of time for the Responses.

18 E. Defendant's attorney Michael Gottfried has provided his approval for
19 Plaintiff's extension of time.

20 **3. Declaration of Counsel**

21 Pursuant to 28 U.S.C. 1746, I declare and verify under penalty of perjury that the
22 foregoing facts are true and correct.

23 Executed on March 29, 2013.

24
25 s/Dan M. Durrant
26 Dan M. Durrant

1 **4. Conclusion and Order Requested**

2 Based upon the foregoing cited Rules and Facts, the Plaintiff respectfully requests
3 an order extending the time for the filing of the Plaintiff's Responses to the Defendant's
4 Motion for Summary Judgment. An Order has been attached and filed and emailed to the
5 Court.

6 Respectfully submitted this 29th day of March, 2013.

7 **GILLESPIE, SHIELDS & DURRANT**

8 S/DAN M. DURRANT

9 Dan M. Durrant

10 Attorneys for Plaintiff

11
12 **CERTIFICATE OF FILING**

13 I hereby certify that, on March 28, 2013, I electronically transmitted the attached
14 document to the U.S. District Court's Clerk office using the CM/ECF system for filing and
15 transmittal of a Notice of Electronic Filing to attorneys of record on file for this case.

16 /s/ Linda S. Dittemore

17 Linda S. Dittemore